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Application No.: 10/658232 Docket No.: BB1179 US CIP

Response to Notice to File Missing Parts
Copy of Notice to File Missing Parts
Declaration PTO/SB/01A Form – 1 page
Power of Attorney PTO/SB/81 Form – 3 pages
ADS

ADS Fee Sheet Postcard

Note:

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



IN THE APPLICATION OF:

SAVERIO CARL FALCO ET. AL.

CASE NO.: BB1179USCIP APPLICATION NO.: 10/658232

CONFIRMATION NO.: 6058 GROUP ART UNIT: 1652

EXAMINER: UNKNOWN FILED: SEPTEMBER 08, 2003

FOR: TETRAHYDROFOLATE METABOLISM ENZYMES

# RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION-FILING DATE GRANTED

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Attention: Mail Stop Missing Parts

Sir:

In response to the Notice to File Missing Parts of Application mailed <u>August 10, 2004</u> (a copy of which is attached), enclosed is a Declaration for the above-referenced application. Please charge the \$130.00 surcharge fee applicable for filing the Declaration on a date later than the filing date to Deposit Account 04-1928 (E. I. du Pont de Nemours and Company). If the fee is insufficient or incorrect, please charge or credit the balance to the above-identified account.

Respectfully submitted,

LORI Y BEARDELL

ATTORMEY FOR APPLICANTS

Registration No.: 34,293 Telephone: (302) 992-4926 Facsimile: (302) 892-1026

Dated: 00 4 14 2004 syl



130.00

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

The second secon							
Complete if Known							
Application Number	10/658232						
Filing Date	September 08, 2003						
First Named Inventor	Saverio Carl Falco Et. Al.						
Examiner Name	Unknown						
Art Unit	1652						
Attorney Docket No.	BB1179USCIP						

METHOD OF PAYMENT (check all that apply)	FEE CALCULATION (continued)						
Check Credit card Money Other None	3. ADDITIONAL FEES						
Deposit Account:			Small				
Deposit 04-1928	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid	
Account Number U4-1928	1051	130	2051	65	Surcharge - late filing fee or oath	130.00	
Deposit Account E. I. du Pont de Nemours and Company	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		
Name The Director is authorized to: (check all that apply)	1053	130	1053	130	Non-English specification		
Charge fee(s) indicated below Credit any overpayments	1812	2,520	1812	2,520	For filing a request for ex parte reexamination	$\vdash$	
Charge any additional fee(s) or any underpayment of fee(s)	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		
Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		
	1251	110	2251	55	Extension for reply within first month		
FEE CALCULATION	1252	420	2252	210	Extension for reply within second month		
1. BASIC FILING FEE Large Entity Small Entity	1253	950	2253	475	Extension for reply within third month		
Fee Fee Fee Fee Description Fee Paid	1254	1,480	2254	740	Extension for reply within fourth month		
Code (\$) Code (\$) 1001 770 2001 385 Utility filing fee	1255	2,010	2255	1,005	Extension for reply within fifth month		
1002 340 2002 170 Design filing fee	1401	330	2401	165	Notice of Appeal		
1003 530 2003 265 Plant filing fee	1402	330	2402	165	Filing a brief in support of an appeal		
1004 770 2004 385 Reissue filing fee	1403	290	2403	145	Request for oral hearing		
1005 160 2005 80 Provisional filing fee	1451	1,510	1451	1,510	Petition to institute a public use proceeding		
SUBTOTAL (1) (\$) 0.00	1452	110	2452	55	Petition to revive - unavoidable		
	1453	1,330	2453	665	Petition to revive - unintentional		
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	1501	1,330	2501	665	Utility issue fee (or reissue)		
Extra Claims below Fee Paid  Total Claims -20** = X 18 =	1502	480	2502		Design issue fee		
Independent 3** - 86	1503 1460	640	2503		Plant issue fee		
Claims -3% =		130	1460		Petitions to the Commissioner		
Large Entity   Small Entity	1807	50	1807	-	Processing fee under 37 CFR 1.17(q)		
Fee Fee Fee Fee Description	1806	180	1806		Submission of Information Disclosure Stmt Recording each patent assignment per		
Code (\$)	8021	40	8021	1 40	property (times number of properties)		
1202 18 2202 9 Claims in excess of 20 1201 86 2201 43 Independent claims in excess of 3	1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))		
1203 290 2203 145 Multiple dependent claim, if not paid	1810	770	2810	385	For each additional invention to be		
1204 86 2204 43 ** Reissue independent claims				06-	examined (37 CFR 1.129(b))	$\vdash$	
over original patent	1801 1802	770	2801		Request for Continued Examination (RCE)	<b></b>	
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent		900	1802	900	<ul> <li>Request for expedited examination of a design application</li> </ul>		
SUBTOTAL (2) (\$) 0.00	Other fee (specify)						
**or number previously paid, if greater; For Reissues, see above	*Redu	iced by	Basic f	Filing F	ee Paid SUBTOTAL (3) (\$) 1	30.00	

SUBMITTED BY						(Complete (if applicable))		
Name (Print/Type)	1.	Lori Y. Beardell	Registration No.	34,293	Telephone	(302) 992-4926		
Signature	1011	4 Dear	UXX		Date	1018 2004,		
	700				•			

WARNING: Information on this form may become public. Credit card Information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Dox 1450 Alexandria, Virginia 22313-1450 www.usptu.gov

APPLICATION NUMBER

FILING OR 371 (c) DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/658,232

09/08/2003

Saverio Carl Falco

BB1179 US CIP

**CONFIRMATION NO. 6058** 

FORMALITIES LETTER

OC000000013481752\*

23906 E I DU PONT DE NEMOURS AND COMPANY LEGAL PATENT RECORDS CENTER BARLEY MILL PLAZA 25/1128 4417 LANCASTER PIKE **WILMINGTON, DE 19805** 

Date Mailed: 08/10/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

#### Filing Date Granted

## **Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below. however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### **SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$130 for a Large Entity

• \$130 Late oath or declaration Surcharge.

Replies should be mailed to:

Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

10/09/2004 RMEBRANT 00000080 041928

H 130.00

A copy of this notice <u>MUST</u> be returned with the reply.

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